



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION**

HILTON RHODERQUES HAYES,	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION 0:20-4105-MGL-PJG
	§	
DRISSI BRAHIM and HERTZ	§	
CORPORATION,	§	
Defendants.	§	

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
AND DENYING PLAINTIFF'S MOTION TO REMAND**

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Plaintiff Hilton Rhoderques Hayes (Hayes) filed this personal injury action Defendants Drissi Brahim and Hertz Corporation. Hayes is self represented.

The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting Hayes's motion to remand for lack of subject matter jurisdiction be denied. The Report was made as per 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on March 4, 2021, but Hayes failed to file any objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of the Court Hayes’s motion to remand for lack of subject matter jurisdiction is **DENIED**.

**IT IS SO ORDERED.**

Signed this 1st day of April, 2021, in Columbia, South Carolina.

s/ Mary Geiger Lewis  
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MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

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**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.